

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

LIGTEL COMMUNICATIONS, INC.,

Plaintiff,

v.

BAICELLS TECHNOLOGIES INC.;
BAICELLS TECHNOLOGIES NORTH AMERICA
INC.,

Defendants.

Case No. 1:20-cv-00037-HAB-SLC

REPORT OF PARTIES' PLANNING MEETING

1. The parties held a planning meeting by telephone and agreed to this report on May 6, 2020. Gabriel Gillett and Leigh J. Jahnig participated for the plaintiff, and Adam Arceneaux, Eric McKeown, and Jessa DeGroote participated for the defendants.

2. Jurisdiction.

The parties agree that this Court has jurisdiction under 28 U.S.C. § 1331 because LigTel's claims arise under the federal Lanham Act and federal trade secrets law. The parties also agree that this Court has jurisdiction over LigTel's state law claims under 28 U.S.C. § 1367(a) and 28 U.S.C. § 1332.

3. Pre-Discovery Disclosures.

The parties stipulate out of the mandatory initial disclosures.

4. Discovery Plan.

The LigTel filed a motion for a preliminary injunction, which prompted the parties to conduct limited expedited written and document discovery tailored to the issues relevant

to that motion. LigTel's motion was denied on April 22, 2020, and LigTel intends to appeal that decision under 28 U.S.C. § 1292(a). The parties therefore propose to refrain from additional discovery pending the outcome of that appeal. Upon conclusion of that appeal, the parties propose the following discovery schedule:

Fact discovery to be completed by 180 days after the mandate issues.

Plaintiff shall identify any Rule 26(a)(2) witness and serve the witness's written report within 60 days after the conclusion of fact discovery. Defendant shall identify any Rule 26(a)(2) witness and serve the witness's written report within 60 days thereafter.

Expert discovery to be completed by 120 days after the conclusion of fact discovery.

Disclosure of electronically stored information should be handled as outlined in the protective order entered by the Court on March 25, 2020.

The maximum number of interrogatories, requests for admission, and depositions, and the length of depositions, will be as outlined in the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern District of Indiana, unless extended by stipulation.

5. Other Items.

The last date the plaintiff(s) may seek permission to join additional parties and to amend the pleadings is 21 days after the mandate issues.

The last date the defendant(s) may seek permission to join additional parties and to amend the pleadings is 21 days after the plaintiff's deadline to join additional parties and to amend its pleadings.

The time to file Rule 26(a)(3) pretrial disclosures will be governed by separate order.

Given the number of variables and outstanding issues, including a likely appeal, the parties cannot reasonably predict at this time when the case would be ready for trial or

how long a trial would be expected to take.

6. Alternative Dispute Resolution.

The parties have discussed potential opportunities for settlement. At this time, the parties do not believe that the likelihood of settlement would be enhanced by following formalized ADR procedures.

Dated: May 12, 2020

Respectfully submitted,

/s/ Gabriel K. Gillett

/s/ Adam Arceneaux

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2020, I caused the foregoing document, along with the accompanying declarations and exhibits, to be filed electronically with the Clerk of the Court using the CM/ECF system, which sent a notification to all counsel of record.

DATED: May 12, 2020

/s/ Gabriel K. Gillett